

Legislation and Regulations Update

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BAR Executive Office
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Bureau of Automotive Repair

Important Legislative Dates

- **April 28, 2023** – Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house
- **May 19, 2023** – Last day for fiscal committees to hear and report to the Floor bills introduced in their house
- **June 2, 2023** – Last day for each house to pass bills introduced in that house
- **July 14, 2023** – Last day for policy committees to meet and report bills
- **July 14, 2023 – August 14, 2023** – Summer Recess

Disclaimer: Though every effort is made to ensure information provided on these slides is the most current, given the nature of the legislative process, hearing dates or bill summaries shown here may not reflect the latest updates. Please be sure to check www.leginfo.legislature.ca.gov for the most current bill information.

2023 Legislative Bills

Catalytic Converter Bills

- AB 641 (Fong): Automobile Dismantlers
- SB 55 (Umberg): VIN Marking Requirements
- AB 1519 (Bains): VIN Marking Requirements

Other Bills

- SB 544 (Laird): Bagley-Keene Open Meeting Act: teleconferencing
- AB 1263 (Committee on Business and Professions): Bureau of Automotive Repair Spot Bill

AB 641 (Fong): Automobile Dismantlers

- Status: This bill was re-referred to the Assembly Transportation Committee on April 10, 2023.
- Summary:
 - This bill revises the definition of automobile dismantler to include a person who keeps or maintains on property owned by the person, or under their possession, two or more used catalytic converters that have been cut from a motor vehicle.
 - Currently, an automobile dismantler is defined as a person who:
 - Is engaged in the business of buying, selling, or dealing in vehicles for the purpose of dismantling the vehicles, buys or sells the integral parts of those vehicles, or deals in used motor vehicle parts.
 - Keeps or maintains two or more unregistered motor vehicles no longer intended for, or in condition for, legal use on the highways.

SB 55 (Umberg): VIN Marking Requirements

- Status: This bill was re-referred to the Senate Transportation Committee on April 10, 2023.
- Summary:
 - This bill would prohibit a dealer or retailer from selling a new or used motor vehicle equipped with a catalytic converter unless the catalytic converter has been engraved or etched with the vehicle identification number (VIN) of the vehicle to which it is attached.
 - This section does not apply to collector cars.

AB 1519 (Umburg): VIN Marking Requirements

- Status: This bill was re-referred to the Assembly Transportation Committee on March 21, 2023.
- Summary: This bill would:
 - Prohibit a dealer or retail seller from selling a vehicle equipped with a catalytic converter that has not has been permanently marked with the VIN of the vehicle to which it is attached.
 - Prohibit a person from removing or altering the VIN on a catalytic converter or from knowingly possessing a catalytic converter that has been altered.
 - Require any ARD that installs or replaces a catalytic converter on a motor vehicle to ensure that the catalytic converter is permanently marked with the VIN of the vehicle on which it is being installed.
 - As part of a Smog Check, require stations to visually inspect the exterior of the catalytic converter and notify the customer whether or not it is permanently marked with the VIN.

SB 544 (Laird): Bagley-Keene Open Meeting Act: Teleconferencing

- Status: This bill was set for hearing on April 11, 2023.
- Summary:
 - This bill would allow the Bureau to continue conducting single-site physical meetings without providing electronic public access, and
 - Allow the Bureau to conduct virtual meetings by either telephone or online platform under the following conditions: (1) Require one physical meeting location with at least one staff member present and provide a way for the public to hear or observe the meeting remotely; (2) Require the telephone number or online information, plus the physical site address, to be included in the meeting notice; and (3) No longer require agendas to identify separately all teleconference locations, post agendas at teleconference locations, and provide public access to all teleconference locations, except for the one physical location.

AB 1263: Bureau of Automotive Repair Spot Bill

- Status: This bill was introduced by the Committee on Business and Professions on February 16, 2023.
- Summary:
 - Currently, the Bureau is required to send at least two newsletters per year; this bill would require the Bureau to send at least three newsletters per year.
 - However, this bill is a spot bill for any legislation related to the Sunset Review that the Bureau will continue to monitor.

Pending BAR Regulation Proposals

- Smog Check Inspection Equipment and Station Requirements (DAD Specification Update)
- Automotive Repair Dealer Registration Application Requirements*
- Vehicle Safety Systems Inspection Program*
- Citation and Remedial Training Programs for Automotive Repair Dealers*

* AB 471 (Low, Chapter 372, Statutes of 2021)

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Smog Check Equipment and Station Requirements (DAD Specification Update)

- Purpose: (1) Replace the current OBD Data Acquisition Device (DAD) specification with a more comprehensive and updated version to provide additional tools to combat Smog Check fraud. (2) Allow the DAD to communicate with new vehicles that use a communication protocol not supported by the current generation of DADs.
- Status: BAR is working with DCA Legal to prepare the package for the Business, Consumer Services, and Housing Agency (Agency) approval.
- Next Steps: Submit to Agency for review and approval.

Automotive Repair Dealer Registration Application Requirements

- Purpose: (1) Define “nationally recognized and industry-accepted educational certifications.” (2) Establish a process for Bureau review and approval of educational certifications that do not meet this definition. (3) Establish a process for recognizing educational certifications on the ARD application. (4) Require ARD applicants to provide an email address.
- History: Public workshop held on April 20, 2022.
- Status: Filed with Office of Administrative Law (OAL) on March 17, 2023.
- Next Steps: File with the Secretary of State upon OAL approval.

Vehicle Safety Systems Inspection Program

- Purpose: Creates a new Vehicle Safety Systems Inspection Program, which does the following:
 - Establishes procedures and program requirements in a Vehicle Safety Systems Inspection Manual.
 - Creates license requirements for vehicle safety systems inspection/repair stations and technicians.
 - Sunsets the lamp and brake inspection programs six months after adoption of the regulations.
- History: Public workshops held on April 20 and July 21, 2022, and April 27, 2023.
- Status: BAR is working with DCA Legal to prepare the package for Agency approval.
- Next Steps: Submit to Agency for review and approval.

Citation and Remedial Training Programs for Automotive Repair Dealers

- Purpose:
 - Expand BAR's citation program to cover ARD violations of the Automotive Repair Act.
 - Specify the process for an ARD to contest a citation and request its review by a 3-member (BAR-consumer-industry) panel.
 - Establish a process for ARDs to obtain remedial training to prevent citations minor in nature from being posted on the BAR website.
 - Establish a process for certification of remedial training providers.
- History: Public workshops held on July 15, 2021, and January 27 and April 22, 2022.
- Status: Filed with OAL on March 7, 2023.
- Next Steps: File with the Secretary of State upon OAL approval.

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